

Message Text

CONFIDENTIAL

PAGE 01 BONN 08902 01 OF 03 031758Z

44

ACTION DLOS-05

INFO OCT-01 EUR-12 EA-06 IO-10 ISO-00 ACDA-05 AGR-05

AID-05 CEA-01 CEQ-01 CG-00 CIAE-00 CIEP-01 OFA-01

COME-00 DODE-00 DOTE-00 EB-07 EPA-01 ERDA-05 FEAE-00

FMC-01 H-02 INR-07 INT-05 JUSE-00 L-03 NSAE-00 NSC-05

NSF-01 OES-03 OMB-01 PA-01 PM-03 PRS-01 SP-02 SS-15

USIA-06 AF-06 ARA-06 NEA-10 OIC-02 /146 W

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R 031741Z JUN 75

FM AMEMBASSY BONN

TO SECSTATE WASHDC 0504

INFO USMISSION GENEVA

USMISSION EC BRUSSELS

AMEMBASSY LONDON

AMEMBASSY PARIS

AMEMBASSY COPENHAGEN

AMEMBASSY TOKYO

AMEMBASSY MOSCOW

AMEMBASSY BERLIN

AMEMBASSY OTTAWA

AMCONSUL BREMEN

AMCONSUL HAMBURG

C O N F I D E N T I A L SECTION 01 OF 03 BONN 08902

E.O. 11652: GDS

TAGS: PLOS

SUBJECT: LOS: FRG REACTION TO GENEVA SESSION

REF: STATE 102552

1. SUMMARY: FRG OFFICIALS WHO PARTICIPATED IN
GENEVA SESSION ARE BY AND LARGE DISSATISFIED WITH
THE PACE AND DIRECTION OF THE LOS NEGOTIATIONS,
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PAGE 02 BONN 08902 01 OF 03 031758Z

PARTICULARLY ON SEABEDS AND FISHERIES. AT GENEVA

THEY WERE FRUSTRATED BY THE LACK OF IMPACT THEY WERE ABLE TO EXERT ON THE NEGOTIATIONS, AND BLAMED THIS LARGELY ON FACT THAT THEY WERE NOT ONLY EXCLUDED FROM GROUP OF 5 BUT WERE RARELY AND INADEQUATELY BRIEFED BY GROUP OF 5 PARTICIPANTS AS TO WHAT WAS GOING ON. THEY VIEW DEEP SEABEDS REGIME AS MOST IMPORTANT ISSUE IN TERMS OF FRG INTERESTS. THEY BELIEVE THAT CLOSE COOPERATION AMONG THE THREE INDUSTRIALIZED COUNTRIES HAVING MOST DIRECT INTEREST IN THE NATURE OF THE SEABEDS REGIME -- THE US, JAPAN, AND FRG -- WILL BE NECESSARY. FRG IS CONDUCTING INTER-MINISTERIAL REVIEW OF GENEVA SESSION OUTCOME. END SUMMARY.

2. THE FOLLOWING REVIEW OF FRG REACTIONS TO THE GENEVA SESSION IS BASED ON DISCUSSIONS WITH ZIMMERMAN IN FORNOFF, MUELLER AND MARTIN IN ECONMIN, AND BOOS IN FISHERIES DIVISION OF AGRICULTURAL MIN. THESE OFFICIALS ALL EXPRESSED DISSATISFACTION AND FRUSTRATION WITH THE NEGOTIATIONS AT GENEVA AND PARTICULARLY WITH FRG EXCLUSION FROM MUCH OF THE KEY WORK. THEY IN PARTICULAR BEMOANED THEIR EXCLUSION FROM GROUP OF 5 AND LACK OF CONSULTATION THEY RECEIVED ON GROUP OF 5 ACTIVITIES. THEY PUT BLAME FOR THIS ON THEIR FRENCH AND BRITISH COLLEAGUES RATHER THAN ON US. ONE OFFICIAL REVEALED THAT FRG DEL OFTEN RECEIVED FULLEST INFORMATION ABOUT GROUP OF 5 WORK FROM GDR DEL, WHO PRESUMABLY HAD BETTER DEBRIEFINGS FROM RUSSIANS.

3. COORDINATION ON SUBSTANTIVE ISSUES AMONG EC COUNTRIES WAS SPOTTY, BUT PERHAPS BETTER THAN FRG HAD ANTICIPATED, CONSIDERING DIVERGENCE OF INTERESTS. FOR INSTANCE ON MOST FISHERIES ISSUES THE 8 EXCLUDING UK WERE ABLE TO COOPERATE. HOWEVER, THE FRENCH WERE NOTABLY RETICENT ABOUT EXPRESSING VIEWS ON MAJOR ISSUES, ESPECIALLY IN COMMITTEE, GIVING THE IMPRESSION THAT THEY MIGHT COME FORTH WITH PRO-GROUP OF 77 INITIATIVES OR UNDERTAKE OTHER POLICIES TO IMPROVE THEIR STANDING VIS-A-VIS THE LDCS. ON

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PAGE 03 BONN 08902 01 OF 03 031758Z

CONTINENTAL SHELF AND FISHERIES QUESTIONS IN PARTICULAR, UK POSITION REMAINED FUNDAMENTALLY OPPOSED TO THAT OF REST OF EC. GERMANS HOPE THERE WILL BE CHANCE FOR MODIFICATION OF UK VIEWS FOLLOWING THE REFERENDUM. EXPERTS FROM EC CAPITALS WILL MEET IN BRUSSELS BEFORE SUMMER HOLIDAYS -- PROBABLY IN JULY -- TO COMPARE THEIR ASSESSMENTS OF GENEVA SESSION AND TO TRY TO COORDINATE THEIR POSITIONS.

WHILE FRG WELCOMES THIS EFFORT, THE OFFICIALS WE
SAW PLACE EVEN GREATER STRESS ON THE NEED FOR FRG-US-
JAPANESE COORDINATION ON SEABEDS.

4. IN ANALYZING THE SINGLE NEGOTIATING TEXTS,
INITIAL FRG REACTION IS THAT THEY ARE HEAVILY BIASED
IN FAVOR OF GROUP OF 77. FRG WOULD LIKE TO CONSULT
CLOSELY WITH US IN COMING MONTHS, PARTICULARLY WITH
REGARD TO DEEP SEABED REGIME, BOTH AS TO TYPE OF
REGIME THAT COULD BE WORKABLE AND TO NEGOTIATING
TACTICS. WHILE FRG WAS PLEASED BY UNDER SECRETARY
MAW'S ASSURANCE (REFTEL) THAT US HAD NOT ABANDONED
DC POSITION, IT IS CONCERNED THAT US AND UK SOUNDINGS
OF LDC VIEWS ON POSSIBLE COMPROMISES MIGHT CONVEY
IMPRESSION THAT DC POSITION IS WEAKENING, AND THAT

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PAGE 01 BONN 08902 02 OF 03 031804Z

44

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FM AMEMBASSY BONN

TO SECSTATE WASHDC 0505

INFO USMISSION GENEVA

USMISSION EC BRUSSELS

AMEMBASSY LONDON

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C O N F I D E N T I A L SECTION 02 OF 03 BONN 08902

THIS IN TURN WOULD HARDEN THE LDC LINE.

5. AMBASSADOR KNOKE, WHO HEADED FRG DEL AT GENEVA, WOULD LIKE TO CONSULT WITH UNDER SECRETARY MAW AND OTHER US OFFICIALS AT CONVENIENT TIME. SINCE FRG MINISTERIAL-LEVEL REVIEW OF GENEVA SESSION WILL NOT BE UNTIL JULY, BEST TIME FROM FRG VIEWPOINT
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PAGE 02 BONN 08902 02 OF 03 031804Z

MIGHT BE SEPTEMBER. KNOKE PLANS TO ATTEND EVENSEN GROUP MEETING IN NEW YORK, AND COULD COMBINE THAT TRIP WITH A VISIT TO WASHINGTON.

6. IN MEANTIME, FRG OFFICIALS WOULD APPRECIATE ANY INFORMATION ON US VIEWS CONCERNING THE SINGLE NEGOTIATING TEXTS, PARTICULARLY CONGRESSIONAL TESTIMONY BY RATINER OR OTHERS ON DEEPSEA MINING AND OTHER ASPECTS OF COMMITTEE I WORK. FRG WOULD ALSO LIKE FURTHER EXPLANATION OF THE US CONCEPT FOR A BANKING SYSTEM UNDER THE DEEP SEABED REGIME. SPECIFICALLY, WHAT LEGAL ARRANGEMENTS WOULD GOVERN THE FIELD ASSIGNED TO THE APPLICANT? WHILE THEY APPRECIATE THAT INDIVIDUAL CONTRACTS WITH THE SEABED AUTHORITY WOULD BE NEGOTIATED, THEY FEEL STRONGLY THAT SUCH CONTRACTS OUGHT TO BE NEGOTIATED ON THE BASIS OF FIXED RULES. FRG OFFICIALS ALSO ASKED FOR US VIEWS AS TO WHO MAY EXPLOIT THE AREA, REFERRING TO THIS AS THE ARTICLE 22 PROBLEM.

7. FRG OFFICIALS INDICATED MEASURE OF CONCERN ABOUT LDC EFFORT IN UNGA AND ELSEWHERE TO IMPOSE MORATORIUM ON UNILATERAL ACTION IN DEEP SEABEDS. THEY BELIEVE THAT THIS PROBLEM REQUIRES A CONCERTED STANCE WITH US, UK, JAPANE, AND PROBABLY USSR. FRG WOULD CERTAINLY OPPOSE A MORATORIUM ON RESEARCH, BUT MORATORIUM ON EXPLOITATION ONLY MIGHT BE ACCEPTABLE. ALTHOUGH A GROUP OF MAJOR FRG MINING FIRMS FORMED A WORKING GROUP CALLED AMR (ARBEITSGEMEINSCHAFT MEERESTECHNISCH GEWINNBARER ROHSTOFFE) IN 1972 TO INVESTIGATE PROBLEMS OF EXPLOITING DEEP SEABEDS,

OUR OFFICIAL SOURCES DOUBTED THAT THEY WOULD BE READY TO START DEEP-SEA MINING FOR AT LEAST SEVERAL YEARS. HOWEVER, THEY PLAN TO CONSULT WITH THESE FIRMS ABOUT THE PROBABLE TIMETABLE ENVISAGED FOR DEEP-SEA MINING AS PART OF THE PRESENT FRG REVIEW OF SEABEDS ISSUES.

8. FRG OFFICIALS ARE PLEASED THAT FRG IS NOW PARTICIPATING IN EVENSEN GROUP. HOWEVER, THEY BELIEVE THAT PRESENT EVENSEN DRAFT ON ECONOMIC ZONE
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PAGE 03 BONN 08902 02 OF 03 031804Z

GOES MUCH TOO FAR IN GIVING DISCRETIONARY CONTROL OVER ACTIVITIES IN THE ZONE TO COASTAL STATES. THE ONLY CONSTRAINTS ON COASTAL STATES ARE THOSE PROVISIONS DESIGNED TO SAFEGUARD THE INTERESTS OF ECONOMICALLY DISLOCATED STATES. THESE PROVISIONS WOULD PROBABLY NOT APPLY TO THE FRG SINCE FRG ECONOMY IS HARDLY DEPENDENT UPON FISHERIES. FRG FURTHER DOUBTS THAT DISPUTE SETTLEMENT SYSTEM WILL OFFER PROTECTION BECAUSE OF EXCEPTION CLAUSES AVAILABLE TO COASTAL STATES. BOOS (FISHERIES DIV.) THOUGHT THAT IT WOULD BE BETTER FOR FRG TO RISK DANGER THAT COASTAL STATES TAKE UNILATERAL ACTION THAN TO ACCEPT EVENSEN DRAFT. HE NOTED THAT FRG FISHERY INTERESTS ARE MOST NEARLY SIMILAR TO THOSE OF GDR AND POLAND, AND THAT THEY ARE ALSO SOMEWHAT COMPARABLE TO THOSE OF RUMANIA AND FRANCE. UNDER THE EVENSEN DRAFT, THE RIGHTS OF ALL THESE TRADITIONAL FISHERY STATES WOULD BE CURTAILED IN FAVOR OF OTHER DEVELOPED COUNTRIES WHICH HAPPEN TO BE COASTAL STATES.

9. BOOS ALSO POINTED OUT THAT POLITICIANS IN PROVINCIAL GOVERNMENTS HAVING FISHING INTERESTS ARE NOW GETTING CONCERNED ABOUT THREAT THAT TRADITIONAL FISHERIES WILL BE FURTHER CURTAILED. HE THOUGHT THAT AS A RESULT, THERE WILL BE MORE DOMESTIC POLITICAL PRESSURE ON BONN TO PROTECT FRG FISHERY INTERESTS.

10. FRG OFFICIALS ALSO HAVE PROBLEMS WITH THE OUTER EDGE CONCEPT SET FORTH IN THE EVENSEN DRAFT. AS A GEOGRAPHICALLY DISADVANTAGED STATE, ONE OF FRG'S BASIC INTERESTS IS TO LIMIT THE GEOGRAPHICAL EXTENT OF THE ECONOMIC ZONE AS MUCH AS POSSIBLE. HOWEVER, FRG MUST ALSO BE CONCERNED ABOUT SECURITY

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PAGE 01 BONN 08902 03 OF 03 031800Z

44

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C O N F I D E N T I A L SECTION 03 OF 03 BONN 08902

OF ITS FUTURE OIL SUPPLIES. IF A GOOD CASE CAN BE
MADE IN FAVOR OF EXTENDING ECONOMIC ZONE TO INCLUDE
CONTINENTAL SHELF IN ORDER SAFEGUARD OIL SUPPLIES
AVAILABLE TO INDUSTRIAL COUNTRIES, THIS MAY PERSUADE
FRG TO CHANGE ITS POSITION ON OUTER EDGE. ECONOMICS
MINISTRY OFFICIALS PLAN TO ASK INTERNATIONAL OIL
COMPANIES FOR THEIR VIEWS BEFORE TAKING A DECISION.
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PAGE 02 BONN 08902 03 OF 03 031800Z

THEY ALSO ASKED US WHETHER USG HAS QUERIED OIL COMPANIES, AND WHETHER WE HAVE ANY DATA RELATED TO PROBLEM OF SECURING OIL RESERVES LOCATED ON CONTINENTAL SHELF.

11. RECOMMENDATION: DISCUSSIONS WITH AMBASSADOR KNOKE IN EARLY FALL SHOULD PROVIDE EXCELLENT OPPORTUNITY FOR FULL EXCHANGE OF VIEWS ON RESULTS OF GENEVA SESSION. EMBASSY THEREFORE RECOMMENDS THAT DEPARTMENT RESPOND FAVORABLY TO FRG PROPOSAL FOR CONSULTATIONS. IN VIEW OF FRG'S LIKELY FUTURE ROLE IN DEEP SEABED MINING AND ITS INTEREST IN COOPERATING CLOSELY WITH US, WE FURTHER RECOMMEND THAT FRG BE INFORMED VIA EMBASSY ON MORE REGULAR BASIS OF US VIEWS AS THEY DEVELOP.
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